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UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF PENNSYLVANIA

In re:	§	Case No. 18-11110-TPA
BURNETT SR., MARVIN	§	
BURNETT, DEBORAH MAE	§	CHAPTER 7
Debtors	§	
JOHN C. MELARAGNO, Trustee	§	DOCUMENT NO.
Movant	§	
V	§	
NO RESPONDENT.	§	

CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)

John C. Melaragno, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

- 1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.
- 2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: \$61,810.00 (without deducting any secured cla	ims)	Assets Exempt:	\$52,037.00
Total Distribution to Claimants:	\$21,580.21	Claims Discharged Without Payment:	\$37,921.20
Total Expenses of Administration:	\$85,028.47		

3) Total gross receipts of \$142,908.68 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$36,300.00 (see **Exhibit 2**), yielded net receipts of \$106,608.68 from liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	79,483.97	8,440.89	0.00	0.00
PRIORITY CLAIMS CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	0.00	85,028.47	85,028.47	85,028.47
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	0.00	0.00	0.00	0.00
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	0.00	498.25	498.25	498.25
GENERAL UNSECURED CLAIMS (from Exhibit 7)	40,347.35	32,594.81	32,594.81	21,081.96
TOTAL DISBURSEMENTS	\$119,831.32	\$126,562.42	\$118,121.53	\$106,608.68

- 4) This case was originally filed under Chapter 7 on 10/26/2018. The case was pending for 34 months.
- 5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.
- 6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 08/17/2021	By: /s/ John C. Melaragno
	Trustee

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STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

EXHIBITS TO FINAL ACCOUNT

EXHIBIT 1 - GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
Hip Replacement Miomet Metal Lawsuit. Marvin's attorney, Magio Christopher & Toale, mctlawyers.com. 888-952-5254. Defend	1142-000	142,908.68
TOTAL GROSS RECEIPTS		\$142,908.68

¹ The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 - FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRANS. CODE	\$ AMOUNT PAID
Marvin Burnett	Debtor's Exemption per Order at Document No. 44	8100-002	36,300.00
TOTAL FUNDS PAID TO DEBT	OR & THIRD PARTIES		\$36,300.00

EXHIBIT 3 - SECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
NOTFILED	Ditech	4110-000	59,606.97	0.00	0.00	0.00
15	Northwest Bank	4210-000	9,176.00	8,440.89	0.00	0.00
NOTFILED	Northwest Bank	4210-000	6,641.00	0.00	0.00	0.00
NOTFILED	Wells Fargo Dealer Services	4210-000	4,060.00	0.00	0.00	0.00
TOTAL SEC	CURED CLAIMS		\$79,483.97	\$8,440.89	\$0.00	\$0.00

EXHIBIT 4 - CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
John C. Melaragno	2100-000	N/A	8,580.43	8,580.43	8,580.43
John C. Melaragno, Esquire	2200-000	N/A	46.84	46.84	46.84
Maglio Christopher & Toale	3210-000	N/A	28,181.73	28,181.73	28,181.73
Nash & Franciskato	3210-000	N/A	28,181.74	28,181.74	28,181.74
Maglio Christopher & Toale	3220-000	N/A	12,985.84	12,985.84	12,985.84
Nash & Franciskato	3220-000	N/A	6,020.04	6,020.04	6,020.04
Signature Bank	2600-000	N/A	38.39	38.39	38.39

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John C. Melaragno, Esquire	3110-000	N/A	935.50	935.50	935.50
John C. Melaragno, Esquire	3120-000	N/A	57.96	57.96	57.96
TOTAL CHAPTER 7 ADMIN. FEES and CHARGES		N/A	\$85,028.47	\$85,028.47	\$85,028.47

EXHIBIT 5 - PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
		None			
TOTAL PRIOR CHAPTER ADMIN. FEES and CHARGES					

EXHIBIT 6 - PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1	Pennsylvania Department of Revenue	5800-000	0.00	498.25	498.25	498.25
TOTAL PR	IORITY UNSECURED CLAIMS		\$0.00	\$498.25	\$498.25	\$498.25

EXHIBIT 7 - GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1A	Pennsylvania Department of Revenue	7300-000	0.00	76.00	76.00	0.00
2	Quantum3 Group LLC	7100-000	1,802.00	1,802.45	1,802.45	1,168.53
3	Quantum3 Group LLC	7100-000	954.00	954.48	954.48	618.79
4	PYOD, LLC	7100-000	2,136.00	2,244.84	2,244.84	1,455.33
5	MERRICK BANK	7100-000	1,127.00	900.78	900.78	583.98
6	PYOD, LLC	7100-000	823.00	883.20	883.20	572.58
7	MERRICK BANK	7100-000	739.00	602.51	602.51	390.61
8	Capital One Bank (USA), N.A.	7100-000	1,632.00	1,713.74	1,713.74	1,111.02
9	Capital One Bank (USA), N.A.	7100-000	574.00	637.31	637.31	413.17
10	Capital One Bank (USA), N.A.	7100-000	3,753.00	3,868.02	3,868.02	2,507.64
11-2	Northwest Bank	7100-000	0.00	10,021.51	10,021.51	6,496.94
12	LVNV Funding, LLC	7100-000	0.00	2,225.47	2,225.47	1,442.77
13	LendingClub Corporation	7100-000	399.00	323.11	323.11	209.47
14-2	Northwest Bank	7100-000	0.00	6,341.39	6,341.39	4,111.13
NOTFILED	CitiFinancial	7100-000	N/A	0.00	0.00	0.00

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TOTAL GENERAL UNSECURED CLAIMS		\$40,347.35	\$32,594.81	\$32,594.81	\$21,081.96
NOTFILED Synchrony Bank / Walmart	7100-000	292.51	0.00	0.00	0.00
NOTFILED Synchrany Bank /QCard	7100-000	309.99	0.00	0.00	0.00
NOTFILED OneMain Financial	7100-000	5,533.00	0.00	0.00	0.00
NOTFILED OneMain Financial	7100-000	8,571.00	0.00	0.00	0.00
NOTFILED Northwest Bank	7100-000	N/A	0.00	0.00	0.00
NOTFILED Headway Capital, LLC	7100-000	6,951.85	0.00	0.00	0.00
NOTFILED Fnb Cons Disc Co	7100-000	3,199.00	0.00	0.00	0.00
NOTFILED First Premier Bank	7100-000	617.00	0.00	0.00	0.00
NOTFILED First Premier Bank	7100-000	862.00	0.00	0.00	0.00
NOTFILED Commercial Acceptance Company	7100-000	72.00	0.00	0.00	0.00

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FORM 1 INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT ASSET CASES

Exhibit 8
Page: 1

Case Number: 18-11110 TPA
Case Name: Marvin Burnett Sr.

Deborah Mae Burnett

Period Ending: 08/17/21

Trustee: John C. Melaragno

Filed (f) or Converted (c): 10/26/18 (f) \$341(a) Meeting Date: 12/21/18 Claims Bar Date: 03/04/19

Ref#	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=§554(a) Abandon	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	1112 South Main St Meadville PA 16335-0000 Crawford County Entireties	50,000.00	0.00		0.00	FA
2	2006 Chevrolet 300 Estimated Mileage: 140,000 Location: 1112 South Main St, Meadville PA 16335	4,693.00	0.00		0.00	FA
3	2004 Cadilac STS Estimated Mileage: 140,000 Poor condition. Not drivable	500.00	0.00		0.00	FA
4	2010 GMC Arcadia In daughter's posession	7,970.00	0.00		0.00	FA
5	Furniture, appliances, dishes, pots, pans, household tools, lawn equipment, etc Location: 1112 South Main St, Meadville PA 16335	1,700.00	0.00		0.00	FA
6	3 TV's and DVD player Location: 1112 South Main St, Meadville PA 16335	500.00	0.00		0.00	FA
7	Books Location: 1112 South Main St, Meadville PA 16335	200.00	0.00		0.00	FA
8	Golf Clubs Location: 1112 South Main St, Meadville PA 16335	80.00	0.00		0.00	FA
9	Clothing Location: 1112 South Main St, Meadville PA 16335	600.00	0.00		0.00	FA
10	Wedding rings, chains, etc Location: 1112 South Main St, Meadville PA 16335	400.00	0.00		0.00	FA
11	Cash	20.00	0.00		0.00	FA
12	Checking Joint account at PNC x0409	500.00	0.00		0.00	FA
13	Checking Business account at PNC x0683	6,000.00	0.00		0.00	FA
14	Mass Mutual, Amcast retirement account is payments of \$284.00 per month	284.00	0.00		0.00	FA
15	Hip Replacement Miomet Metal Lawsuit. Marvin's attorney, Magio Christopher & Toale, mctlawyers.com. 888-952-5254. Defendant offered \$50,000, but medicare claim is \$54,000.00	Unknown	17,700.00		142,908.68	FA
16	Accounts receivable from business	2,500.00	0.00		0.00	FA
17	Desk, 3 computers and printers, fax, etc Location: 1112 South Main St, Meadville PA 16335	1,600.00	0.00		0.00	FA

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FORM 1 INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT ASSET CASES

Exhibit 8
Page: 2

Case Number: 18-11110 TPA

Case Name: Marvin Burnett Sr.

Deborah Mae Burnett

Period Ending: 08/17/21

Trustee: John C. Melaragno

Filed (f) or Converted (c): 10/26/18 (f) §341(a) Meeting Date: 12/21/18 Claims Bar Date: 03/04/19

Ref#	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=§554(a) Abandon	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
18	PNC Bank Standard Checking Acct. x6129 (u)	0.00	62.92		0.00	FA
19	PNC Bank Performance Checking Acct. x8972 (u)	0.00	49.18		0.00	FA

TOTALS (Excluding Unknown Values) \$77,547.00 \$17,812.10 \$142,908.68 \$0.00

Major activities affecting case closing:

January 11, 2021 Review:

Waiting for settlement funds. Claims have been reviewed. Once the funds have been received case is ready for TFR.

September 28, 2020 Review:

The Trustee is awaiting the settlement payment which, per the terms of the approved settlement order will be in January of 2021.

June 22, 2020 Review:

A settlement has been reached on the Debtor's hip litigation. The Motion to Approve Settlement has been filed with the Bankruptcy Court and is pending at this time. The Settlement provides for payment in two installments, one in August of 2020 and on in January of 2021.

March 31, 2020 Review:

Special Counsel reports that the claim is pending, but no settlement has been reached.

1/8/2020

Spoke with Nancy, Special Counsel's Paralegal. Hip case is going to mediation on 2/13/20 in Pittsburgh. Medicare lien of more than \$80,000 is a possible problem, but it appears there are many charges unrelated to hip case, so lien is being appealed.

1/3/2020 Review:

The hip litigation remains pending.

September 30, 2019 Review:

The hip litigation remains pending. Special Counsel has estimated a conclusion of the claim in September of 2020.

June 30, 2019 Review:

The litigation remains pending.

April 29, 2019 Review:

Special Counsel has been employed and the Debtor's hip claim remains pending.

January 2, 2019 Review:

The Debtor has a pending hip claim and the Trustee intends to employ Special Counsel to continue to prosecute the claim.

Initial Projected Date of Final Report (TFR): June 30, 2019

Current Projected Date of Final Report (TFR): March 17, 2021 (Actual)

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FORM 1 INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT **ASSET CASES**

Exhibit 8 Page: 3

August 17, 2021 /s/ John C. Melaragno Date

John C. Melaragno

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Trustee:

John C. Melaragno Signature Bank

Form 2 Cash Receipts and Disbursements Record

Exhibit 9
Page: 1

Case Number: 18-11110 TPA
Case Name: Marvin Burnett Sr.

arvin Burnett Sr. Bank Name:

Deborah Mae Burnett Account: ******4109 - Checking

 Taxpayer ID#:
 -*9205
 Blanket Bond:
 \$9,932,890.00 (per case limit)

Period Ending: 08/17/21 Separate Bond: N/A

1	2	3	4			5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction		Uniform Tran. Code	Receipts \$	Disbursements \$	Checking Account Balance
02/01/21		Nash & Franciskato, LLC	Net Settlement Payment per Court Ord 44	ler No.		31,239.33		31,239.33
02/01/21	Asset #15		Gross Settlement per Order 14 at Doc. No. 44	2,908.68	1142-000			31,239.33
02/01/21		Nash & Franciskato	Special Counsel -2 Compensation per Order at Doc. No. 44	8,181.74	3210-000			31,239.33
02/01/21		Maglio Christopher & Toale	Special Counsel -2 Compensation per Order at Doc. No. 44	8,181.73	3210-000			31,239.33
02/01/21		Maglio Christopher & Toale	Reimbursement of Special -1 Counsel Expenses per Order at Doc. No. 44.	2,985.84	3220-000			31,239.33
02/01/21		Marvin Burnett	Debtor's Exemption per Order -3 at Document No. 44	6,300.00	8100-002			31,239.33
02/01/21		Nash & Franciskato	Reimbursement of Expenses to Special Counsel per Order at Doc. 44.	6,020.04	3220-000			31,239.33
02/26/21		Signature Bank	Bank and Technology Services Fee		2600-000		38.39	31,200.94
06/23/21	1001	John C. Melaragno	Dividend of 100.00000000%.		2100-000		8,580.43	22,620.51
06/23/21	1002	John C. Melaragno, Esquire	Dividend of 100.00000000%.		2200-000		46.84	22,573.67
06/23/21	1003	John C. Melaragno, Esquire	Dividend of 100.00000000%.		3110-000		935.50	21,638.17

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Form 2 Cash Receipts and Disbursements Record

Exhibit 9
Page: 2

Case Number: 18-11110 TPA
Case Name: Marvin Burnett Sr.

urnett Account: ******4109 - Checking

Trustee:

Bank Name:

Deborah Mae Burnett

-*9205

Blanket Bond: \$9,932,890.00 (per case limit)

John C. Melaragno

Signature Bank

Period Ending: 08/17/21 Separate Bond: N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Receipts \$	Disbursements \$	Checking Account Balance
06/23/21	1004	John C. Melaragno, Esquire	Dividend of 100.00000000%.	3120-000		57.96	21,580.21
06/23/21	1005	Pennsylvania Department of Revenue	Dividend of 100.00000000%, Claim No.1.	5800-000		498.25	21,081.96
06/23/21	1006	Quantum3 Group LLC	Dividend of 64.830047594%, Claim No.2.	7100-000		1,168.53	19,913.43
06/23/21	1007	Quantum3 Group LLC	Dividend of 64.830047594%, Claim No.3.	7100-000		618.79	19,294.64
06/23/21	1008	PYOD, LLC	Dividend of 64.830047594%, Claim No.4.	7100-000		1,455.33	17,839.31
06/23/21	1009	MERRICK BANK	Dividend of 64.830047594%, Claim No.5.	7100-000		583.98	17,255.33
06/23/21	1010	PYOD, LLC	Dividend of 64.830047594%, Claim No.6.	7100-000		572.58	16,682.75
06/23/21	1011	MERRICK BANK	Dividend of 64.830047594%, Claim No.7.	7100-000		390.61	16,292.14
06/23/21	1012	Capital One Bank (USA), N.A.	Dividend of 64.830047594%, Claim No.8.	7100-000		1,111.02	15,181.12
06/23/21	1013	Capital One Bank (USA), N.A.	Dividend of 64.830047594%, Claim No.9.	7100-000		413.17	14,767.95
06/23/21	1014	Capital One Bank (USA), N.A.	Dividend of 64.830047594%, Claim No.10.	7100-000		2,507.64	12,260.31
06/23/21	1015	Northwest Bank	Dividend of 64.830047594%, Claim No.11-2.	7100-000		6,496.94	5,763.37
06/23/21	1016	LVNV Funding, LLC	Dividend of 64.830047594%, Claim No.12.	7100-000		1,442.77	4,320.60
06/23/21	1017	LendingClub Corporation	Dividend of 64.830047594%, Claim No.13.	7100-000		209.47	4,111.13

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Form 2 Cash Receipts and Disbursements Record

Case Number: Case Name: 18-11110 TPA

Marvin Burnett Sr.

Deborah Mae Burnett

Taxpayer ID#: Period Ending:

-*9205

08/17/21

Trustee:

John C. Melaragno

Bank Name:

Signature Bank

Account:

*****4109 - Checking

Blanket Bond:

\$9,932,890.00 (per case limit)

Separate Bond: N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Receipts \$	Disbursements \$	Checking Account Balance
06/23/21	1018	Northwest Bank	Dividend of 64.830047594%, Claim No.14-2.	7100-000		4,111.13	0.00

ACCOUNT TOTALS Less: Bank Transfers	31,239.33 0.00	31,239.33 0.00	\$0.00
Subtotal Less: Payment to Debtors	31,239.33	31,239.33 36,300.00	
NET Receipts / Disbursements	\$31,239,33	\$-5.060.67	

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
Checking # *****4109	31,239.33	31,239.33	0.00
	\$31,239.33	\$31,239.33	\$0.00

Exhibit 9
Page: 3